

United States District Court

WESTERN DISTRICT OF WASHINGTON

BILL L. HEMENWAY

JUDGMENT IN A CIVIL CASE

v.

STATE OF WASHINGTON, ET AL

CASE NUMBER: C07-5634RBL

 Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

1. The Court adopts the Report and Recommendation.
2. Petitioner is not entitled to an evidentiary hearing on his equitable tolling claim.
3. The Petition was not filed within the one year period of limitation, and it is therefore DENIED.
4. Petitioner's pending motions, if any, are DENIED, as being moot.
5. The Court hereby issues a certificate of appealability on Petitioner's claim that the time for filing his petition should be equitably tolled. 28 U.S.C. §2253(c).

March 26, 2009

BRUCE RIFKIN

Clerk

Jennie L. Patton
Deputy Clerk